

As Reported by the House State and Local Government Committee

132nd General Assembly

Regular Session

2017-2018

H. B. No. 715

Representatives Schuring, West

**Cosponsors: Representatives Anielski, Hambley, Holmes, Arndt, Boyd, Hill,
Perales**

A BILL

To amend sections 729.52 and 743.06 of the Revised Code to authorize a municipal corporation to use up to 5% of its water and sewer funds for sewerage or water system extensions in each fiscal year when the extension is for economic development purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 729.52 and 743.06 of the Revised Code be amended to read as follows:

Sec. 729.52. (A) The funds received from the collection of sewer rentals under section 729.49 of the Revised Code shall be deposited weekly with the treasurer of the municipal corporation. Money so deposited shall be kept as a separate and distinct fund and shall be known as the sewer fund. When appropriated by the legislative authority of the municipal corporation, the fund shall be subject to the order of the director of public service of a city or of the board of trustees of public affairs of a village. The director or board shall sign all orders drawn on the treasurer of the municipal corporation

against such fund, ~~which~~. The fund shall be used for the 19
payment of the cost of the management, maintenance, operation, 20
and repair of the sewerage system and sewage pumping, treatment, 21
and disposal works and may be used for purposes of division (B) 22
of this section. Any surplus in such fund may be used for the 23
enlargement or replacement of the system and works, for 24
construction and reconstruction of main and interceptor storm 25
sewers, for the payment of the interest on any debt incurred for 26
the construction thereof, and for the creation of a sinking fund 27
for the payment of such debt, ~~but~~. However, except as otherwise 28
provided in division (B) of this section, the surplus shall not 29
be used for the extension of a sewerage system to serve 30
unsewered areas or for any other purpose; provided, where such 31
municipal corporation does not operate or maintain a sewage 32
pumping, treatment, and disposal works, any or all of such 33
surplus may be transferred to the general fund of the municipal 34
corporation in the manner provided in sections 5705.15 and 35
5705.16 of the Revised Code. 36

(B) In each fiscal year, a municipal corporation may use 37
up to five per cent of the gross amount of money deposited in 38
the municipal corporation's sewer fund in the preceding year for 39
the purpose of extending the municipal corporation's sewerage 40
system if the sewerage system is being extended to areas for 41
economic development purposes. 42

In any fiscal year, a municipal corporation shall not 43
exceed the five per cent limit established in this division. 44

Sec. 743.06. (A) Money collected for water-works purposes 45
shall be deposited weekly with the treasurer of the municipal 46
corporation, and shall be kept as ~~a~~ a separate and distinct 47
fund. When appropriated by the legislative authority of the 48

municipal corporation, such money shall be subject to the order 49
of the director of public service. The director shall sign all 50
orders drawn on the treasurer of the municipal corporation 51
against such fund. 52

(B) In addition to the purposes specified in section 53
743.04 of the Revised Code, in each fiscal year, a municipal 54
corporation may use up to five per cent of the gross amount of 55
money deposited in the fund created under this section in the 56
preceding year for the purpose of extending the municipal 57
corporation's water system if the water system is being extended 58
to areas for economic development purposes. 59

In any fiscal year, a municipal corporation shall not 60
exceed the five per cent limit established in this division. 61

Section 2. That existing sections 729.52 and 743.06 of the 62
Revised Code are hereby repealed. 63